

Nearing Still Is Opposed to Conscription

Also Against Preparedness, Thinks War Crime at Any Time, He Testifies at Trial

Again Quotes Wilson

Declares He Got Title for 'The Great Madness' From Speech by the President

Dr. Scott Nearing reaffirmed his opposition to preparedness, to conscription, to war of any nature, to the espionage act and to the methods by which funds were raised in the Liberty Loan campaigns in the United States District Court yesterday, where he is being tried before Judge Julius M. Mayer for violating the espionage act.

From the time he took the stand in the morning to late in the afternoon, Nearing frankly elaborated his viewpoint to United States Assistant Attorney Earl R. Barnes, who was cross-examining him. The prosecutor was trying to learn what Dr. Nearing's views were when he wrote "The Great Madness," on which he was indicted, and whether he still adhered to them. He insisted he still believed they were right.

Mr. Barnes took Dr. Nearing back to that period before the war and asked him to explain a document which had been signed by 306 of the leading economists of the country beside Nearing, opposing the Liberty Loans as a method of raising funds to carry on the work of the government, and which suggested a "pay as you go" method.

On Liberty Loan

Dr. Nearing said as a Socialist he was opposed to the workers having any part in the raising of funds in a war that "did not concern them," and "as a Socialist I believe in the repudiation of all property which enables one man to live parasitically on the labor of another." Then he added that he included the Liberty Loan in that category.

Questioned by Mr. Barnes, Dr. Nearing went on to admit that he had spoken against the passage of the conscription act. He declared, however, he did not attempt to obstruct the government's war machinery. He added that he has spoken for many organizations, such as the People's Council and the American Union Against Militarism.

After several questions Mr. Barnes brought out that the Civil Liberties Bureau, which Dr. Nearing had spoken for, was devoted to the work of defending "conscientious objectors," and as the witness put it, "to see to it that freedom of speech and assembly and other similar rights were not curtailed."

The St. Louis Resolutions

Mr. Barnes then asked Dr. Nearing whether he had read and approved the St. Louis resolutions of the Socialist party, which advocated opposition to war. Dr. Nearing suggested "mass resistance" if necessary. Dr. Nearing said that he had, with one exception. Due to the objections of his attorney, Seymour Steinfeld, he did not say what the "exception" was.

At this point Dr. Nearing reiterated his opposition to war, and all means of carrying it on. "If you proposed all to the government," asked Mr. Barnes. "I do not believe," said Nearing slowly, "that a workman has any right to fight in a capitalist war."

Then following a question by Mr. Barnes and the witness as to the means the latter would employ to oppose war. "I have no declaration of war as a crime against the human race," Dr. Nearing said, among other things. "The Great Madness" was then taken up by Mr. Barnes. Dr. Nearing answered to a question about the basis for the phrase "as a playful method of referring to the plutocrats."

Nearing had expressed the opinion that the Socialist party was not yet so powerful that the "capitalist class feared it, and in this connection Mr. Barnes asked: "Then the capitalist class does not fear the Socialist party?" "Not yet," replied Nearing with emphasis.

Asked to explain what he meant when he referred to the "malefactors of great wealth," Nearing explained that it was a take off from Theodore Roosevelt, who used the phrase as "a playful method of referring to the plutocrats."

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Talking About Europe Then

"He was talking about Europe then, wasn't he?" asked Mr. Barnes. "Yes," said Dr. Nearing, with a smile. "That was before America got the madness."

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More About Plutocrats

Dr. Nearing defined "plutocratic patriotism" as a "brand which is patriotically loyal to imperialistic designs, the brand of patriotism that has the support of J. P. Morgan & Co. and the United States Steel Trust."

A controversy as to Daniel Webster's opinion about conscription followed. Dr. Nearing said Webster suggested in 1814 that if it passed the conscription measure it was then considering he would return to his constituents and advise them to resist its enforcement.

Mr. Barnes asked Dr. Nearing to find any place in Webster's speech where he said just that. A search resulted in a passage in the speech in which Webster said he would "exhort" his constituents to oppose the enforcement of the act.

Then he might have meant that he would advise them to resist for its repeal should it be passed," suggested Mr. Barnes, but Dr. Nearing maintained that the meaning which Webster meant to convey was unmistakable.

If He Felt That Way

"Do you approve of Webster's belief, then?" "If he felt that way, yes," Dr. Nearing was asked whether he would do as Webster said he would do if he were of the same belief. He answered in the affirmative, emphasizing, however, that he would employ only legal means.

"Do you still believe," that the plu-

Two Haled to Court to Get Right Correspondent

"IS THE correspondent, 'one Frederick Braun, of Hoboken,' named by the plaintiff in this action, present?" asked Vice-Chancellor Lewis yesterday in Jersey City, when the divorce suit of Gustav Sproedt against Edna Sproedt was called in the Court of Chancery.

"Two of him are," replied counsel for the petitioner.

Then he had to explain that, since his client didn't know the address of the "one Frederick Braun, of Hoboken," and had found two in the Hoboken directory, he had subpoenaed both of them.

The one with gray hair and a black mustache, living at 634 Washington Street, turned out to be the wrong one, so counsel agreed that the other, whose home is at 102 Washington Street, was the right one, and the case proceeded.

Testimony was completed and court adjourned to Monday for the summing up speeches and the charge to the jury by Judge Mar. Mr. Sproedt wanted the war?" asked Mr. Barnes.

"I still believe that the plutocrats wanted the war," said Nearing emphatically.

"Do you still believe you were right in 1917?"

"I still believe that my attitude was correct."

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Mme. Victoria Is Made a Target by O'Leary Defence

Woman Who Testified for Government Is Accused of Being a Drug Addict and Unworthy of Belief

Picturing Mme. Marie K. de Victoria, accused of being a German spy, who testified against Jeremiah A. O'Leary, as an unreliable "dope fiend," entirely unbecomingly, Colonel Thomas B. Felder yesterday opened the O'Leary defence. O'Leary is on trial before Judge A. N. Hand and a jury in the Federal District Court for alleged conspiracy to obstruct the draft.

Colonel Felder indicated the testimony of Mme. Victoria will be the main target of the defence. In assailing this chief government witness Colonel Felder said:

"She is under indictment for treason, yet she has been allowed to live in luxury by the government officials, and when she appeared here in court she was dressed in more finery than Solomon in all his glory."

He spoke for two hours and reviewed the evidence that has been produced by the government. He insisted that Mme. Victoria had misrepresented her nationality to O'Leary and had masqueraded as a native of Argentina. The attorney further asserted the defence was ready to prove the testimony of her word could not be relied upon because she was a drug addict.

George Francis O'Neill, a machine gunner, was the first witness introduced by the defence. He said he was a student at Fordham Law School and had enlisted in May, 1917. Jerry O'Leary took charge of the defence examination. The witness testified he was a member of a number of Irish organizations and he had often heard the defendant speak on the Irish question.

O'Neill, when asked if he ever heard O'Leary make any remarks that might create mutiny against the United States, he said he had not. "What you have said would have strengthened me in my devotion to democracy," continued the witness. "And I know of no man who attended a meeting and heard you, who has been mistaken in any way."

Assistant United States Attorney Osborne took up the cross-examination. He drew from the witness that most of the meetings in which O'Leary was an important factor were devoted to propaganda for the freedom of Ireland and denunciation of Great Britain. He said he was under the impression that the defendant was an expert in the art of training, but was opposed to the draft.

Trapped by Letter, Man Forced to Pay Alimony

Wife Says He Bought Motor Car With Earnings From War Work

When Mrs. Mary Ryder, of 306 Floyd Street, Brooklyn, discovered that her husband, Arthur, was riding around in a big motor car, instead of being in the office, she decided to force him, if he could, to pay the \$8 a week awarded her last year for the support of herself and two children.

That was last November. Thursday she caught him, literally, by the coat tail as he tried to escape her and a policeman in the Brooklyn postoffice to which a decoy letter had lured him. And yesterday instead of \$8 a week he was ordered to pay \$12, and, furthermore, he signed a document which will enable his wife to prosecute him for felony if he leaves the state without her permission.

Mrs. Ryder told the court that when he left her husband was working for the Brooklyn Union Gas Company. He owned one or two instalments of all-motor cars. He said he was going to join the navy. Instead, however, he went to Arlington, N. J., she said, and got work in a munitions plant, which permitted him to buy a big motor car. Meanwhile his wife and her babies were taken care of by Catholic charities, who fed and clothed them during intervals when his mother could not supply these necessities.

The main demand of the strikers in Belfast affecting nearly all important industries of the city is for a forty-four hour week, increased control of the shops by workmen's committees and no reduction of salaries from the war time. This is followed by a compromise proposal by the employers.

Belfast Strikers Reject Compromise by Employers

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City Shaken by Underground Gas Explosions

Manhole Covers Blown Off for Two Miles on Upper Part of Lexington Avenue

Traffic Halted, 12 Hurt

One Laid Hits Forty-second Street Car; Ambulances, Nurses and Police Called

Explosion in sewers and conduits which blew manhole covers high into the air, shook the East Side for two miles north of the Grand Central Terminal at the rush hour last night. A dozen or more persons were injured by the explosion. Several shop windows and numerous apartment house windows were smashed. One flying lid hit Joseph Clark, a bookkeeper, cutting his scalp. A telephone message was sent to the East Fifty-first Street police station. The crowd in the street was panicky. Cries of "A bomb!" were heard.

Col. Carl Boyd, Aid to General Pershing, Dead

Former Military Attache at Paris Legation Passes Away While on Foreign Soil

PARIS, Feb. 14.—Colonel Carl Boyd, principal aide-de-camp to General John J. Pershing, is dead from an attack of pneumonia.

In March, 1918, Colonel Boyd was decorated with the cross of an officer of the Order of Leopold by King Albert, and was also presented with the Belgian War cross. He was born in Adelaide, Ark., January 24, 1874, and entered the Military Academy at West Point in June, 1898. He remained there until the following June, and in August, 1899, was appointed to the cadet corps. He graduated in June, 1903. He was appointed a second lieutenant in the 3d United States Cavalry.

During the fall of 1918 he went to France where he was attached to the dragon regiment at Fontainebleau. When the world war started he remained in France as a military officer, and also as an aide to the American Legation in Paris. When the United States entered the war he wished for more active service, and on the arrival of General Pershing in France he became his aide-de-camp.

Grand Jury Hears Five Witnesses on Rothstein Affair

Inspector Henry Waits for Call That Doesn't Come; Says Inquiry Was Asked; Swann's Assistant Denies

Dinner in honor of General Harrison of the Philippine Division, at the Hotel Waldorf-Astoria, 10 p. m.

Meeting of the St. Elizabeth's Club, 10 p. m.

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The ALMANAC

Going On To-day

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Free admission to the American Museum of Natural History, 10 p. m.

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